

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action mailed on December 8, 2009, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-2, 6-8 and 11-17 are pending in this application. Claims 1 and 6 are independent claims.

In the Final Office Action, claim 1 is objected to for an informality. Applicants respectfully traverse this objection to claim 1, however in the interest of advancing consideration and allowance of the claims, the Applicants have elected to amend claim 1 to clarify its recitations. Accordingly, it is respectfully requested that the objection to claim 1 be withdrawn.

In the Final Office Action, claims 7 and 11 are rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. Claims 1 and 6 are rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite. These rejections of claims 1, 6, 7 and 11 is respectfully traversed. However, in the interest of advancing consideration and allowance of the application, the applicants have elected to amend claims 7 and 11 to replace the term "only when" with "after", and claims 1 and 6 are amended to include a description to limit the scope of the term "abnormal playing status", which is described as defining "non-essential content". Additional concerns raised in the Final Office Action with claims 1 and 6 are also addressed by the amendments herein.

Accordingly, withdrawal of the rejection of claims 1, 6-7 and 11 under 35 U.S.C. §112, first and second paragraphs is respectfully requested.

In the Final Office Action, claims 1, 2, 6, and 8 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,580,870 to Kanazawa (Kanazawa). Claims 7 and 11-17 are rejected under 35 U.S.C. §103(a) over Kanazawa. These rejections are respectfully traversed. It is respectfully submitted that claims 1, 2, 6, and 8 and 11-17 are allowable over Kanazawa for at least the following reasons.

In a Response to the previous Office Action, filed July 14, 2009, the Applicants pointed out that Kanazawa teaches purposefully interrupting playing. Kanazawa causes this interruption of playing due to accessing a network resource.

As discussed on page 5, second paragraph of the present specification, the optical disc player has a normal playing status when it plays while downloading information. It also has an abnormal playing status when the information required to be downloaded is downloaded in advance. This enables the player to avoid delays and glitches that can be caused by networks. The claims are amended herein to clarify that "the essential content is played during a normal playing status and the non-essential content is played during an abnormal playing status" (see page 5, first paragraph of the present application).

Amended claim 1 for example recites that "in response to detecting the abnormal playing status ... identify the one or more servers having the information which is required for playing the essential content after the current status is no longer the abnormal playing status but which has not yet been downloaded; and ... downloading the information that is

required for playing the essential content while the current status of the player is the abnormal playing status, in advance of the normal playing status when the information is required, such that playing of the essential content is not interrupted during the normal playing status".

The cited sections and elsewhere in Kanazawa do not make a distinction between essential and non-essential content, normal and abnormal playing status, where the essential content is played only during the normal playing status. Further, it is respectfully submitted that the optical disc player of claim 1 is not anticipated or made obvious by the teachings of Kanazawa. For example, Kanazawa does not teach, disclose or suggest, an optical disc player that amongst other patentable elements, comprises (illustrative emphasis added) "downloading the information that is required for playing the essential content while the current status of the player is the abnormal playing status, in advance of the normal playing status when the information is required, such that playing of the essential content is not interrupted during the normal playing status" as recited in claim 1, and as similarly recited in claim 6.

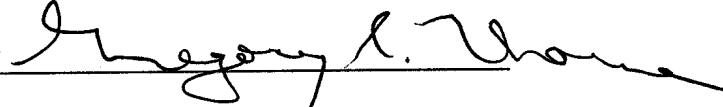
Based on the foregoing, the Applicants respectfully submit that the optical disc player of claim 1 and the method of claim 6 is not anticipated or made obvious by the teachings of Kanazawa and an indication to that effect is respectfully requested. Claims 2, 7-8, and 11-17 respectively depend from one of claims 1 and 6 and accordingly are allowable for at least this reason as well as for the separately patentable elements

contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response, and in particular, no Official Notices are conceded. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in
condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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